

REMARKS

The applicant respectfully requests reconsideration in view of the amendments and the following remarks. The applicant has incorporated claim 2 into claim 1.

The applicant confirms their election of Group I claims 1-14 with traverse. Applicants respectfully traverse the Restriction requirement because the U.S. Patent and Trademark Office has not carried forward its burden of proof to establish distinctness.

In particular, MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. These claims were not restricted out during the PCT proceeding for a lack of unity.

Accordingly, Applicants respectfully traverse the outstanding Election requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner. For the reasons, this restriction requirement should be withdrawn.

Claims 1, 3, and 6-11 re rejected under 35 U.S.C. 102(b) as being anticipated by U.S. 4,884,754 (Kemp, Jr. et al.). Claims 2, 4-5 and 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In order to expedite prosecution the applicant has incorporated claim 2 into claim 1. As the Examiner claim 2 is allowable over Kemp. Therefore, this rejection should be withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

A three month extension has been paid. Applicant believes no additional fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13077-00118-US from which the undersigned is authorized to draw.

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Respectfully submitted,

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